

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

Criminal File No. 06-16(1) (MJD/AJB)

(1) JORGE ORTIZ PINEDA,

Defendant.

W. Anders Folk, Esq., Assistant United States Attorney, Counsel for Plaintiff.
James Brian Sheehy, Esq., Counsel for Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Arthur J. Boylan dated February 28, 2006. Plaintiff Jorge Ortiz Pineda has filed no objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.1(c). Based on that review the Court adopts the Report and Recommendation dated February 28, 2006.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Magistrate Judge's Report and Recommendation dated February 28, 2006, [Docket No. 57] is hereby **ADOPTED**.
2. Defendant Jorge Ortiz Pineda's Motion for Severance of Defendants [Docket No. 22] is **DENIED**;
3. Defendant Pineda's Motion to Suppress Evidence Obtained as a Result of Search and Seizure [Docket No. 25] is **DENIED**.

Dated: April 14, 2006

s / Michael J. Davis
Judge Michael J. Davis
United States District Court